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## Fax Transmittal

September 3, 2004

| RECIPIENT NAME(S)  | RECIPIENT FAX NUMBER(S)   | RECIPIENT TELEPHONE NUMBER(S)   | RECIPIENT ROOM #(S) |
|--|---------------------------|---|---------------------|
| Examiner J. Douglas Shultz<br>USPTO  | 703.872.9306              | 571.272.0760  | 988B                |
| SENDER   | SENDER'S TELEPHONE NUMBER | SENDER'S ROOM NUMBER  |                     |
| Joseph Ricigliano  | (202) 942-5174            | 988B  |                     |
| CLIENT/MATTER NUMBER   | TIMEKEEPER NUMBER         | NUMBER OF PAGE(S)   |                     |
| 16491.066  | 6584                      | We are transmitting <u>13</u> page(s) (including this cover sheet)  |                     |
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| Applicants: Thai D. NUGYEN <i>et al.</i><br>Appln. No.: 09/227,881<br>Filing Date: January 11, 1999<br>Title: Nucleic Acids, Kits and Methods for the Diagnosis, Prognosis and Treatment of Glaucoma and Related Disorders |                           | Transmitted herewith are:<br>1. a Transmittal Letter;<br>2. Response to Office Action dated June 3, 2004; and<br>3. Interview Summary |                     |

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## ARNOLD &amp; PORTER LLP

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Washington, DC 20004-1206

September 3, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450*Attn: Mail Stop Amendment*

Re: U.S. Patent Application No. 09/227,881  
Filed: January 11, 1999  
Title: *Nucleic Acids, Kits and Methods for the Diagnosis, Prognosis and Treatment of Glaucoma and Related Disorders*  
Applicants: Thai D. NGUYEN *et al.*  
Atty. Docket No.: 16491.066

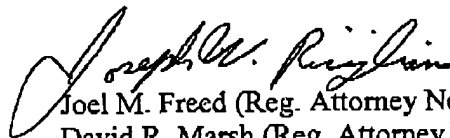
Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (USPTO):

1. a Response to the Office Action dated June 3, 2004; and
2. an Interview Summary.

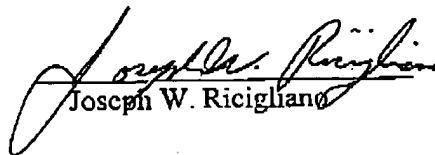
In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing matter number 16491.066.

Respectfully submitted,



Joel M. Freed (Reg. Attorney No. 25,101)  
David R. Marsh (Reg. Attorney No. 41,408)  
Joseph W. Ricigliano (Reg. Agent No. 48,511)

I hereby certify that this letter is being facsimile transmitted to the Attention of the Commissioner of Patents via facsimile number (703)-872-9306.

  
Joseph W. RiciglianoDate: September 3, 2004

Attachments

Washington, DC New York London Brussels Los Angeles Century City Northern Virginia Denver

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thai D. Nguyen *et al.*

Appln. No.: 09/227,881

Filed: January 11, 1999

For: *Nucleic Acids, Kits and Methods for the  
Diagnosis, Prognosis and Treatment of  
Glaucoma and Related Disorders*

Group Art Unit: 1635

Examiner: Schultz, James D.

Docket No.: 16491.066

## Interview Summary

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Interview Summary received from the Examiner during the interview of August 31, 2004, Applicants submit the following summary.

Personal Interview, in Attendance

Assistant Examiner: James D. Schultz

Supervisory Patent Examiner John LeGuyader

Registered Attorney: David R. Marsh

Registered Patent Agent: Joseph W. Ricigliano

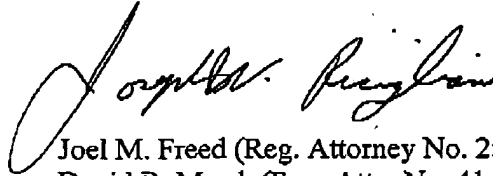
- 1) Exhibits: No additional exhibits were provided
- 2) Claims Discussed: See Summary, *infra*.
- 3) Cited Art Discussed: Becker et al
- 4) Amendments discussed: See Summary, *infra*.

5) Summary: The discussion included the rejection under 102(b) over the Becker reference and the double patenting rejections. The Examiner indicated that if the rejection was to be maintained he would indicate the sequences relied upon in formulating the rejection. The suggestion was made to submit amended claims directed to a fragment of SEQ ID NO: 3 and SEQ ID NO: 34 and their effect on overcoming the rejection under 112 first paragraph.

6) Other Matters: None

7) General Result: While no final agreement was reached, Examiners Schultz and LeGuyader provided helpful insight and suggestions to advance the prosecution of the application.

Respectfully submitted,



Joel M. Freed (Reg. Attorney No. 25,101)

David R. Marsh (Reg. Atty. No. 41,408 )

Joseph W. Ricigliano (Registered Patent Agent No. 48,511)

Date: September 3, 2004  
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